

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. APPLICATION NO. 10/694,392
ATTORNEY DOCKET NO. Q77903

REMARKS

Claims 56-63, 66-74, 77, 78, 111-116 and 126-136 are all the claims pending in the application. Claim 65 is canceled without prejudice or disclaimer, obviating the rejection under 35 U.S.C. §112, ¶2. Claim 75 is canceled without prejudice or disclaimer.

The claim amendments do not raise any new consideration for the Examiner, and do not necessitate any further search, since they were presented in substantially similar form in the prior Amendment.

All the claims stand rejected under 35 U.S.C. § 102 as being anticipated by Zhang, or under 35 U.S.C. §103(a) as being unpatentable over Zhang. Only claims 56, 111, and 126 are independent. As now amended, the claims are drawn to a method that requires *independently tilting a plurality of tiltable beam steering elements to deliver laser energy to selectable locations on a substrate.*

In the Office Action, the Examiner acknowledged that:

As to amended claims 56, 111 and 126, the limitation of independently tiltable beam steering elements is not taught by Zhang. However, this is an apparatus limitation. The same
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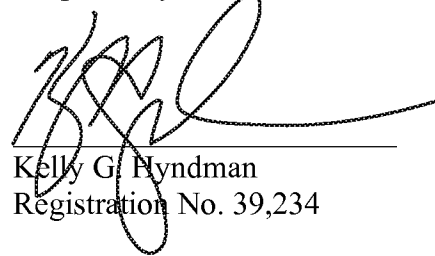
The claims, as now amended, cannot now reasonably interpreted *without giving due patentable weight to the independently tilting of the plurality of tiltable beam steering elements.* In view of the Examiner's clear admission of Zhang's deficiencies, the rejection cannot be maintained.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Applicant herewith petitions the Director of the USPTO to extend the time for reply to the above-identified Office Action for an appropriate length of time if necessary. Unless a check is attached, any fee due under 37 U.S.C. § 1.17(a) is being paid via the USPTO Electronic Filing System (EFS). The USPTO is also directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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